

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 26, 2018

SEAN F. McAVOY, CLERK

JOHN SCHLABACH,

Plaintiff,

v.

INTERNAL REVENUE SERVICE and
its agents,

Defendant.

No. 2:18-CV-00053-SMJ

**ORDER DENYING MOTIONS
FOR DEFAULT JUDGMENT**

Before the Court, without oral argument, is Plaintiff John Schlabach's Motions for Default Judgment, ECF No. 4 & 5. Plaintiff filed a complaint against the Internal Revenue Service (IRS) on February 13, 2018. ECF No. 1. Plaintiff now moves for default judgment, ECF Nos. 4 & 5. He asserts that the IRS and the Attorney General were served with a copy of the summons and complaint on February 21, 2018, and that an answer to the complaint was due by April 13, 2018. ECF No. 5 at 1.

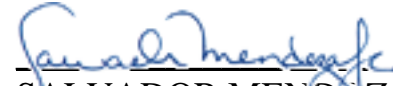
To properly serve the IRS in this case, Plaintiff was required to (1) deliver a copy of the summons and complaint to the United States attorney for the Eastern District of Washington or to the civil-process clerk at the United States attorney's office; (2) send a copy of the summons and complaint by registered mail to the

1 Attorney General of the United States; and (3) send a copy of the summons and
2 complaint to the IRS by certified mail. Fed. R. Civ. P. 4(i).

3 It appears from Plaintiff's filings that he may have sent a copy of the
4 summons and complaint to the Attorney General and the IRS, but there is no
5 indication that he properly delivered or sent a copy of the summons and complaint
6 to the United States Attorney's Office for the Eastern District of Washington.
7 Accordingly, Plaintiff has failed to properly serve the IRS in compliance with Rule
8 4(i). Plaintiff's Motions for Default Judgment, **ECF No. 4 & 5**, are therefore
9 **DENIED.**

10 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
11 provide a copy to Plaintiff.

12 **DATED** this 26th day of June 2018.

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14 SALVADOR MENDOZA, JR.
15 United States District Judge
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